

statutory tools necessary to meet and defeat the international terrorist threat. Large majorities in both Houses passed the PATRIOT Act to lower the wall of separation between the intelligence and law enforcement communities that prevented the sharing of threat information that might have averted these attacks. I supported the inclusion of sunsets in the PATRIOT Act because I recognized that the enlargement of Federal law enforcement authority and the attendant risk to civil liberties required comprehensive examination and affirmative congressional reauthorization.

Since passage of the PATRIOT Act in October of 2001, I have led aggressive congressional oversight of the implementation of the PATRIOT Act before the House Committee on the Judiciary, and the legislation has been exhaustively examined by the House Committee on Intelligence, as well as companion committees in the other body. The PATRIOT Act conference report is more protective of civil liberties than current law in dozens of areas, and is the product of extensive and bipartisan legislative and oversight, as well as intensive bipartisan and bicameral negotiations. On December 14, the House passed the PATRIOT Act conference report by a bipartisan vote of 251–174.

Last night, the other body ignored the will of the House, a majority of PATRIOT Act House-Senate conferees, and a clear majority of Senators bypassing a 6-month extension of the PATRIOT Act that contained none of the important civil liberties provisions carefully negotiated by House and Senate conferees.

The security of the American people should not be subordinated to the partisan brinkmanship of a minority of obstructionist Senators. It is imperative that the PATRIOT Act not be permitted to expire in order to ensure that our Nation's law enforcement and intelligence communities are provided the statutory mandate necessary to detect and defeat terrorist threats.

Let me respond to assertions that the conference report does not strengthen the civil liberties provisions of the original PATRIOT Act.

Senator SCHUMER and others have said that we ought to "mend it, not end it." Senator SCHUMER and others fail to recognize that conferees have already extensively mended it, and that further mending will have the effect of ending the vital antiterrorism provisions contained in this legislation and heighten the risk of future terrorist attack.

With respect to civil liberties enhancements, the PATRIOT Act conference report contains at least 30 additional civil liberties safeguards, many of which were requested by minority conferees. This conference report tightens the criteria necessary to obtain a multipoint wiretap, heightens reporting requirements of their use, increases safeguards for the use of delayed notice search warrants, imposes stringent requirements for the acquisition of business records under section 215 of the legislation, requires the approval of such orders from the FBI Director or other senior executive officials if they pertain to library, medical, educational or other records, limits the scope of material obtained through these orders, and prohibits the dissemination of information obtained.

The conference report also requires that the DOJ Inspector General conduct two separate audits of the FBI's use of section 215 orders that will examine: any noteworthy facts or cir-

cumstances relating to 215 orders, including any improper or illegal use of the authority; the manner in which such information is collected, retained, analyzed, and disseminated by the FBI; and an assessment of whether the minimization procedures protect the constitutional rights of United States persons.

Allows recipients of National Security Letters (NSLs) to consult with legal counsel and creates an explicit right to judicial review of NSL requests.

Permits a reviewing court to modify or set aside an NSL if compliance would be unreasonable, oppressive, or otherwise unlawful—this is the same standard used to modify or quash a subpoena in a criminal case.

Requires the DOJ Inspector General to conduct two comprehensive audits of the FBI's use of NSLs and requires the Attorney General and the Director of National Intelligence to submit to Congress a report on the feasibility of applying minimization procedures to NSLs to ensure the protection of constitutional rights of U.S. persons.

Adds a new "sunshine" provision that requires annual public reporting on NSLs. Provides for expanded congressional access to significant FISA reporting currently provided to the Intelligence Committees.

Includes a provision requiring the FISA Court to submit its rules and procedures to Congress. Creates new reporting requirements for the use of emergency authorities under FISA. Requires new reporting on the use of emergency disclosures of communications information made under section 212 of the USA PATRIOT Act.

Requires the Department of Justice to submit a report to Congress on the Department's data-mining activities.

As you can see from this list of changes, the conference report does more than just mends the PATRIOT Act, it overhauls it in important ways that a minority of Senators refuse to recognize.

In order to ensure that this vital antiterrorism legislation does not expire at the end of this month, I offer legislation that provides a 5-week extension of the PATRIOT Act. The PATRIOT Act has already been subject to the most exhaustive congressional consideration of any modern legislation. A 5-week extension will permit both bodies to again examine the legislation to ensure that it enhances the security of the American people while preserving our civil liberties. It will also ensure that the vital antiterrorism provisions contained in the act do not expire as some in the other body have openly advocated.

I urge my colleagues to support this important legislation to renew the critical antiterrorism tools contained in the PATRIOT Act by supporting passage of H.R. 4647.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 4647, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

USA PATRIOT ACT 6-MONTH EXTENSION

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2167) to amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. OBEY. Mr. Speaker, I reserve the right to object in order to simply ask at the proper time that I may be allowed to insert a statement from Mr. CONYERS in the RECORD with respect to the PATRIOT Act.

And I have been asked by the distinguished minority leader, Ms. PELOSI, to read the following statement:

"Mr. Speaker, I do not intend to object to this 1-month extension of the PATRIOT Act provision contained in this legislation. We would have preferred a 3- or 6-month extension to allow the American people a longer time to discuss the very serious impacts of these provisions on the civil liberties of the American people. But it appears we will only be given 1 month for that national debate.

"I also want it to be clear that this legislation involves only a small portion of the PATRIOT Act. Ninety percent of that act is law and remains law, regardless of what we do here today.

"The portion of the law in dispute is the very controversial section that affects the basic civil liberties of the American people. The rights of our citizens, as guaranteed by the Constitution, should not be shoehorned into a tight timeframe. We should have the time for a vigorous and thorough debate. In the meantime, the overwhelming majority of the PATRIOT Act is in place, and will remain in effect.

"Mr. Speaker, there is a very crucial debate in this country today about the rights of American citizens to privacy, and about the proper role of the Congress and courts in assuring that no one, not even the President, tramples on those basic privacy rights without complying with the law. In this atmosphere, it is appropriate to give additional time to examine the implications of these controversial provisions of the PATRIOT Act."

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the Senate bill, as follows: